THE HONOURABLE MRS. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE MR. JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 26891 of 2007

ORAL ORDER:
(Per T. Meena Kumari, J)

The Writ Petition is filed seeking writ of mandamus in passing the confiscation order dated 7.12.2007 by the 1st respondent as illegal and consequently to direct the 1st respondent not to encash the bank guarantee of Rs. 22,62,000/- dated 17.10.2007 furnished by the petitioner against detention, pending disposal of the appeal before the 2nd respondent.

Heard the learned counsel for the petitioner and the Special Standing Counsel for Commercial Taxes.

It is stated by the learned counsel for the petitioner that the goods have been confiscated by an order dated 7.12.2007 by the 1st respondent and the 1st respondent is trying to encash the bank guarantee of Rs. 22,62,000/- dated 17.10.2007 furnished by the petitioner.

Under these circumstances, it would suffice if a direction is given to the 1st respondent not to encash the bank guarantee of Rs. 22,62,000/- dated 17.10.2007 furnished by the petitioner, pending disposal of the appeal.

Accordingly, the Writ Petition is disposed of. However, there shall be a direction to the 1st respondent not to encash the bank guarantee of Rs. 22,62,000/- dated 17.10.2007 furnished by the petitioner, pending disposal of the appeal preferred by the petitioner before the 2nd respondent and the 2nd respondent shall

disposal of the appeal in accordance with law within a period of three months from the date of receipt of a copy of this Order.

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T. MEENA KUMARI, J

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C.V. NAGARJUNA REDDY, J

19.12.2007

N.B.
C.C. by 26.12.2007
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